



**ZIONSVILLE TOWN COUNCIL  
MEETING MINUTES  
FOR  
MONDAY, APRIL 18, 2022  
AT 8:00 A.M. EST  
ONSITE MEETING  
1100 West Oak Street**

This meeting was conducted onsite. All Councilors participated in person.

Council Members Present: Jason Plunkett, President; Alex Choi, Joe Culp, Josh Garrett, Craig Melton, and Bryan Traylor  
Absent: Brad Burk, Vice-President

Also Present: Mayor Emily Styron; Deputy Mayor Julie Johns-Cole; Heather Harris, Town Council Attorney; Wayne DeLong, Director of Community and Economic Development; Lance Lantz, Director of Department of Public Works; Jarod Logsdon, Superintendent of Parks and Recreation; Jo Kiel, Director of Human Resources; Kellie Adams, Chief Financial Officer; Cindy Poore, Deputy Chief Financial Officer; Tim Berry, Crowe LLC; Amy Lacy, Municipal Relations Coordinator, and other Town Department Staff.

**OPENING**

**A. Call meeting to order**

**B. Pledge of Allegiance**

Plunkett            All right, it's 8:00 so we will call the meeting to order. If you would please, join me for the Pledge of Allegiance.

All                    Pledge of Allegiance.

Plunkett            All right. Typically we would have the memorandum from the last meeting. Obviously, with the quick turnaround, we don't have that today.

**REQUEST TO SPEAK ON AGENDA ITEM**

Plunkett            So, up first is request to speak on agenda items. Amy, do we have any requests to speak?

Lacy                No. We have no requests to speak.

Plunkett            Thank you very much.

**MAYOR/ADMINISTRATION UPDATE**

Plunkett            Then up next would be the Mayor and Administration update. Good morning Mayor.

Styron              Good morning. First, thank you President Plunkett for changing the time of this meeting to accommodate my schedule. That was very, very considerate and I am – and I appreciate it. I have several updates to share with you this morning and will be happy to answer questions at the conclusion. March financial reports are coming soon. As we move forward, finance reports will resume on a monthly basis. The barriers that have prevented regular finance reports from being easily obtained and provided were caused by the unexpected, time-consuming challenges experienced during the implementation of the OpenGov system. I am grateful for our finance team who has worked so hard to meet these challenges and will continue to do so as we move forward. I share your frustrations with OpenGov. New finance system implementations can be challenging, especially when we are transitioning from an older product. The decision to move to OpenGov was advocated by the former CFO. OpenGov has implemented other systems in Town that work well. As Kellie Adams comes up to speed, I will keep an open mind as to how long we remain an OpenGov customer. Some good news I want to share with you today is that we have financial reports, both fund and appropriation reports, for 2020, 2021 and the first two months of 2022 available on our website. We will use this platform to make these reports available to the public going forward. In addition, we are working to provide an expanded narrative around what these financial statements mean. This revenue and spend plan is important to understand how much we can reinvest into our community with one-time initiatives and how much we can save for operations. When I came into office, the financial system was reliable but it was challenging to use data to help us derive, process improvement and other performance management information. Our team is committed to using data to help us serve our constituents better. Your decisions are critical to the operations of our Town and we want to provide you with financial information that can best inform these decisions. At the last meeting, Councilor Choi expressed some concerns about the one-time expense request from the Parks Department. I want to remind all of us that during the budget process last year we spoke at length about recurring and one-time expenses. Recurring expenses are funded through current year revenue. One-time expenses may be funded through prior year savings accrued in our fund balance. Therefore, our budget is balanced when our annual revenue covers our recurring costs. Last year we introduced and you passed a balanced budget. This year we are coming back to you with those one-time expenses that are funded through dollars accrued in our fund balance over multiple budget years. We can

put one-time expenses back into our annual budget if it would help clarify our spending plan, however, this year we followed your direction to pull out those one-time expenses and bring them back to you in 2022 as additional appropriations. The request for a Five-Year Parks Master Plan is a one-time expense. You may recall, it was taken out of the Park's recurring budget request with the direction that we could bring it back for an additional one-time appropriation out of that saved parks fund balance. Now the Parks Department is ready to undergo this project and utilize these funds they have accrued in their cash balance reserves. This five-year plan is critical. It opens the door to millions of federal and state dollars. This isn't a strategic plan. It's a Five-Year Master Plan. Our Town has consistently undertaken a Five-Year Master Plan for five years for decades – every five years for decades. This is a crucial component of the Parks Department and Board's administrative responsibility. Overall, we have really healthy fund balances. I would like us to consider why we collect taxpayer dollars. We pay taxes for a reason. Our responsibility is to reinvest those funds into our community because they are for the public good. It is not fiscally responsible to accrue these dollars year after year without following through on the needs our employees and constituents have identified as a priority. Thank you for providing premium pay to our public safety personnel. There are additional staff who worked around the clock. They are inspectors – during COVID. They are inspectors, planners and wastewater facility and street personnel. They are essential and we need to recognize their efforts as well. Throughout the pandemic, these staff kept our facilities clean, entered residences and commercial buildings for inspections, managed our wastewater treatment plant and kept our streets in good condition. They had no option to conduct these essential operations remotely and should be recognized with premium, premium pay bonuses accordingly. In the first year of my term as Mayor, I held regular listening sessions around Town. COVID put a wrench in that plan. I am relaunching these listening sessions. Please let your constituents know that they can reach out to my Executive Assistant, Carol Johnson, to schedule these for an HOA meeting, a Bible study group, a book club or any gathering of folks. Ultimately my goal is to understand how we can best serve our residents, business owners and visitors in the years ahead. In closing, I am available for, to attend an 8 a.m. Town Council meeting monthly if you would like me to provide an update on my administration's activities. I love this job and derive a great deal of joy from serving our local constituents. I ran for Mayor because I wanted to increase economic activity, support growth in our Parks and Recreation system and to implement initiatives that will preserve Zionsville's treasured sense of place. I am glad for the assistance and support my administration has provided Councilor Culp through the exploration of launching a historic conservation district in the Town. Please let me know what other initiatives you all have that we can amplify and support through the Town's activities. We have different yet complimentary leadership roles to play in Zionsville. I hope that you will resume our bi-weekly Town Council admin check-in meetings. They can help to alleviate misconceptions like the Parks Five-Year Plan prior to your meeting. We are truly all in this together and I hope we can move forward in a positive way. Thank you.

Plunkett Thank you. Are there questions from Councilors?

Garrett I'll start if you don't mind? Appreciate you coming today Mayor.

Styron Thank you.

Garrett Can we sort of talk back about the decisions around OpenGov and, you know, what was the process to define the vendor and even the thought process because we did not go through an RFP as to, you know, why we just sort of brought the vendor in before we even paid for the vendor. Could you kind of talk through that line of thinking?

Styron It was poor – that line of thinking. We should've done more of that. I wish that we had done more of that. What, I relied on our former CFO to have gone through a process of evaluating other systems. She had worked with this product in a different community and from the information that I had gotten from that other community, it was working well. That wasn't enough. That was – that is something I feel personally responsible for in terms of not asking for a more comprehensive extensive search and I regret that.

Garrett I appreciate that statement. So we approved the funding and, and by the way agreed with your assessment that we needed a new financial system. This was in October of 2020. Do you know when implementation started or when the contracts were signed after that funding or rather after October 29<sup>th</sup>? Did, did that start immediately? I'm trying to get a sense of how long we've been in this implementation phase.

Styron I can get back to you with that specific information. I don't have that at hand right now.

Garrett Okay. Do we have a sense of how long implementation was supposed to take?

Styron We apparently are an early access program partner for this product which means that they're developing it as the go along. So that's –

Garrett Ohh –

Styron Part of the problem that we're experiencing and I think that that is one of the reasons why we don't have a lot of clear ideas of exactly when the, the product is fully implemented. From the best I can see, they are implementing projects on all different kinds of levels. They have some really successful products which are more in the permitting kind of area which is one of the areas that we're using them for. The financial piece is the one that seems to still have a lot of missing or frustrating workarounds to get it to work.

Garrett So, during their presentation they, they mentioned they have 2,200 government customers – that was back in 2020. Do most of them not use – it's a SAS platform so I'm assuming they're all using the same based software. Did most of them not use financials?

Styron That is correct.

Garrett That's – okay. Can you talk through the decision process of shutting down the old system before implementation of what sounds like a system that wasn't even

complete on their end yet was done? I mean, I think that's what's really probably the biggest cause of the frustration here is not the delay in the implementation – that is a frustration – but not having the old system as a way to provide at least some information during that bridge period has, has been frustrating for me certainly.

Styron            Yep. There – first of all, we have two people that work in the finance department or did at that time –

Garrett           Yes.

Styron            There – to try to keep two systems live and going at the same time would be fraught with potential user error and would really be a hard thing to do for those two individuals. Tim Berry and Crowe absolutely do not advise any community to operate – have two systems that they are operating at the same time. That's not a – if we had another instance – if we could like recreate our financial system and be able to have one data entry point to have both of them working that way then maybe that would be something we could do but that's not the kind of IT platform we have and it's not the kind of resources we have to be able to do something like that.

Garrett           So, how do then systems – how do communities that are migrating systems to new systems – does Crowe recommend there's just a gap between shutdown and implementation? Like, surely there's got to be a cut over point or even if you're not running concurrent systems I would think that you would have dummy data in the new system until you were able to run the reporting that you needed and then you would do the cut over with the live data. I'm, I keep struggling with this shutdown the old system, start implementing the new system and we've been then sort of in this financial gap for 18 months – that's, that's the part, I guess, that I'm most concerned –

Styron            Well, remember the financial gap is reporting. It's not a financial gap in terms of operations. It's the reporting component is that gap.

Garrett           Right.

Styron            And I mean, I might ask Tim to, to say part of what his concerns would be about having two operational financial systems working at the same time.

Berry              Members of the Council at Crowe we do many implementations for ERP systems. We were not involved in this from the beginning. We have been working with the Mayor and the administration to evaluate the current system as it exists today but we're not involved in the implementation process. Typically you would be doing a lot of testing and test data to determine the readiness of when the system would be to actually go live but the Mayor's right with a small operation staff that you have today the fact that different systems will require different processes to actually implement you would typically not expect to run parallel systems of this nature at the same time. You would hope to ensure that the system had been tested properly and I believe the operations portions were – it was the implementation of the actual reporting that quite frankly, I was on a

call a couple of weeks ago with Cindy and the OpenGov system where they were still perfecting that.

Garrett So, you know, I mean, I guess I – and I’m not trying to beat a dead horse here – but I guess that’s the concern is that – and maybe I phrased the question wrong – it’s not necessarily around parallel systems but who ultimately is responsible for the lack of testing that was on the system if we paid OpenGov \$148,000 in professional fees for implementation, data migration and support for turning on the free sweeps and reporting of transparency platform – that doesn’t seem like that was done very well and has caused cascading issues for us. And so, I appreciate the lack of staffing – I, as a Councilor, would always prefer if there is a lack of staffing that would have meaningful impact on what we’re able to see that there’s an ask of this Council to see if we want to spend more money to provide that and if we don’t that’s on us. If there’s no ask, we can’t help but perhaps that’s less of a question but if, if the initial contract was – the ask was for \$284,000 – \$148,000 of that was for implementation so call it \$100,000 a year to run the system, the system is not live yet – are we still paying for the full live system as it’s – as we’re still yet waiting on the key part for us and for me which was the reporting and transparency portal not only for this Council but also for the public.

Styron What was your question? I’m sorry –

Garrett So, are, are we still paying them monthly service fees for a full system implement – for a fully implemented system when the system has yet to be implemented fully?

Styron I will check on that and tell you exactly what we’re paying for and how much that is.

Garrett Got it. The irony is I’d check on the system but I can’t.

Styron Ha ha – well we couldn’t before either. So, yes – I – that is the goal I want Councilor Garrett, for us to actually check into a system and get meaningful management information.

Garrett It’s what we – I mean that’s the reason why I voted for the system too.

Styron Absolutely. I –

Garrett I mean we’re, we’re in agreement on that.

Styron I 100% agree with you.

Choi Can I, uh – just piggybacking on what you’re saying –

Garrett Sure.

Choi In the agreement we have with OpenGov do we have performance metrics that we tie them to as far as what they’re responsible for, what they’re deliverables are and have they met those deliverables? In most, in most contracts there is a

litany of items that are required of the vendor and if they don't, then there are consequences to that. Do we have that in our contract with them?

Styron I would be happy to enter into an executive session to have a really open and frank conversation around this matter. But this has some legal impact to it and I'm going to refrain from answering that in a public setting.

Choi I appreciate that. Thank you. The other question that I had around this is as far as the performance of OpenGov and the reporting structure, because they've had some implementation problems and they're still testing through this, do we have any assurances that the reports we're receiving are actually accurate? Do we have checks? I see Tim nodding his head.

Styron Would you like to explain to them how?

Berry We believe the system is adequately or accurately categorizing the information that is within the system today. Yes.

Choi Okay. And how do we know that?

Berry There were some internal review –

Choi Okay.

Berry Of those transactions.

Choi Okay.

Berry Now is it a comprehensive review of all transactions? No, but we believe based on that that they are adequately or accurately, excuse me categorizing all of those transactions as they have been input into the system.

Choi Okay. Thank you.

Garrett I re-watched the old presentation where OpenGov Andrew Jones presented to us, I think on October 5<sup>th</sup> – the way this system is architected is its got different components to it but it's all built on a reporting and transparency portal. If we now get reports which I'm appreciative of that are being sent to us but can't access the reporting and transparency portal, how are those reports being generated if they aren't out of the system that's underlying the whole basis of that system? Does that make sense?

Garrett How are we getting the data?

Styron Through Power BI. So, we're loading, we're downloading base information and then taking it through a report writer system to generate the record – the reports.

Garrett Got it. Do you have a sense of when that Power BI component piece goes away and, and, and we, the public, whomever can go in and do that?

- Styron            That was the – that was part of the sell and that’s part of the issues that we are accruing. Again, would love to talk about these issues in more detail in an executive session.
- Garrett            Okay. Are you or department heads able to use this system to make financial decisions or understand current budgets?
- Styron            I can’t answer that question because I use the paper reports that you do. So, I’m not – that’s a question that I’d probably like to get back to you on in terms of if anyone from inside our department heads are actually logging into OpenGov to take a look at it.
- Garrett            Got it. Could you maybe talk then about what OpenGov is doing right or, or how it is being worked?
- Styron            I think that clearly in our permitting department that’s where OpenGov has been a great tool.
- Garrett            Got it. Do we have a sense of when we’ll know if this is a long-term solution for us?
- Styron            I hope in the not-so-distant future. That’s what we’re working towards.
- Garrett            Got it. Okay.
- Culp                That was my question.
- Garrett            All right. This, this been – there are other questions I’m sure but I will tell you this has been very helpful to me –
- Styron            I’m glad.
- Garrett            I am supportive of moving this meeting to 8:00 if it allows you to attend. I think I have been frustrated and it’s been a little disappointing to me I feel the lengths we’ve had to go to have this conversation. I think if we would’ve had this conversation three months ago this would probably be a non-issue. We’ve basically had to shut down the payment system for our Town and our bills to, in my feeling, force this conversation. I don’t want these to be forced. I think having your input on these decisions and you hearing our and answering our questions is an important part of this government. So –
- Styron            And I’m so grateful for the meeting being scheduled at a time where I could be here.
- Garrett            Sure.
- Styron            Thank you.
- Traylor            We would’ve been willing to do that at any time.
- Styron            Great. It’s good to know that.

- Garrett I said that –
- Traylor Yes.
- Garrett Yes, like a month and a half ago but I'm glad you're here. Those are all the questions I have on OpenGov.
- Plunkett Okay.
- Traylor I have one, and it was not really a question, it's more just – I would challenge the statement that the system is reporting accurately because there is at least one known significant error that's being remedied where the payroll fund shows a negative balance of over \$600,000. So, that's a known – I know that they're aware of that but that's a known issue so I wouldn't state that I'm confident that what's in the system is accurate.
- Choi President Plunkett – can we can we schedule an executive session then to review this because I have a feeling that my other questions are also going to be part of an executive session.
- Plunkett Sure. Yes, I mean, I think a couple of things and I'm happy to, to schedule an executive session, you know, to get this, get this stuff figured out. You know, I appreciate this dialogue – open, honest dialogue. And certainly appreciate the reporting on the Town's website. I like that transparency for everybody in the Town and for us, again, assuming everything is, is accurate. I mean, we had a conversation a few weeks ago – like I will advocate with this Council and I told Kellie last week too – I mean, I will advocate with this Council to find whatever you guys need in the finance department.
- Styron Appreciate it.
- Plunkett I mean that's, that's our job. That's our number one job –
- Styron Right.
- Plunkett Is to focus on, you know, be the fiduciary body for the Town of Zionsville and if it means we need to add staff – we're – I think we just need to find it.
- Styron Thank you so much President Plunkett.
- Plunkett So you know, I do think that I appreciate the – you made the reference to the bi-weekly meetings. I know that those have been somewhat sporadic and, and obviously, you know, with the exception of last week because of the short turnaround since I've been President we've been on all of them and I do think that they're beneficial and I appreciate the opportunity to move this to, to 8 a.m. If this Council's open to it.
- Styron Awesome.

Zionsville Town Council  
April 18, 2022

Plunkett At least once a month where we can come in here and, you know, I can help get my daughter out of bed before we come in –

Styron That sounds great. Wonderful. I'm glad you have similar desires.

Plunkett I mean I think, I think we all want that. Right?

Culp Yes.

Plunkett And, and that would just be, Amy, as simple as modifying the meeting –

Lacy Yes. We, we would just have to pass an amendment to the meeting schedule.

Plunkett Yes, I mean, if this Council's open –

Lacy We could do it at the next meeting.

Plunkett I'm certainly happy to have Heather draft something so we can do that at the next meeting if that's all right?

Traylor Absolutely.

Garrett Fine with me.

Melton Yep.

Styron Thank you so much.

Plunkett Any other questions or anything else for the Mayor?

Garrett Can you talk about the historic preservation committee?

Styron Sure.

Garrett You mentioned thanking the staff for it –

Styron Yep.

Garrett I know there's been a lot of dialogue –

Styron Right.

Garrett Even over email and on, on, you know, I'm supportive but where is your head at on this?

Styron I think that it is going to create and administrate – another administrative process similar to the Plan Commission for the Town. I think we'll need an attorney to manage the group and I think that the volume of work that that committee will have will take up the planning department's time and that there's just – we are full to the brim, especially in the planning department – and I don't see how at the current staffing level they could administer, administer a program like this

without additional support from staff and also from – for the commission that’s created the legal support that will be needed there.

Garrett So if this Council were to work with you on a budget standpoint for the planning department, do you have any issues with the commission?

Styron Well, I’ve lived in the Village and I have lived in suburban, you know, neighborhoods and I live in an old neighborhood now. So I’ve kind of moved around a bit in the last 20 years and I would say that one of the beauties of living in the Village was the character and the uniqueness of each house. The first house I bought in the Village was close to – it was basically owned by a former seed depot worker. It had been added onto four different times. If you put a marble on the floor it would roll all the way to the other end of the house. The upstairs was added at some point -- it’s an eclectic – it was an eclectic, lovely house that I yelled at half the time and I cried when we left it. I think that is my personal example of living in the Village. And I believe that our form-based code zoning effort is going to address a great number of the issues that have been put forward by Village residents about a house being built that towers over their small house or demolishing something and putting something that doesn’t fit with the architecture around it. I think that for the expense and effort that we’ll undergo to have this, this particular new regulatory process, we can make that at least 85% of what we’re trying to solve. I think we could do it through the form-based code. And I would at least love for us to try that for a little while and if it doesn’t then revisit it.

Culp Does the form-based – will it protect historical homes?

Styron Well, historical – when you say “protect historical homes” if a home is truly historical – whatever that means exactly – the individual property owner can put a protection on it for the life of that building. They can put a protection on it so that it can’t be torn down because it is protected through a historical conservation kind of effort. That’s a voluntarily move. I think if you are – if I am looking at that house that I used to live in – it’s old, really old and whether or not it has a some kind of a, a systematic process that’s holding it into perpetuity as an, as an old home, I would like that property owner to take responsibility for making that long-term pledge.

Culp So, it doesn’t protect the outstanding, contributing –

Styron They can actually protect themselves. The homeowners can place a historic – Heather can you explain what that actually looks like?

Harris Sorry Mayor – I’m not sure and I don’t want to misspeak.

Choi But this is completely voluntary – so if somebody –

Styron Yes.

Choi Decided that okay my home might be a historic home but if I put a protection on it I’m not going to be able to sell it as readily because it’s a small house and a double lot –

Styron That's exactly right. They may not be able to get the same amount of dollars out of it. I don't know that – that's for a realtor to answer. I think that in my experience of living there, homes in the Village haven't gone down in price.

Choi No, no – what I'm trying to get at is – so, a smaller home that is very historic – and, and I'm using a realistic example here –

Styron Yes.

Choi Is very historic and notable in nature but they decide that because I might not be able to get the price out of it that I want because somebody might want to demolish it and build a – if I don't put a voluntary protection on it –

Styron Yes.

Choi Somebody can buy it, demolish it –

Styron That's true.

Choi And –

Styron Yep.

Choi Build something on it.

Styron They can. If the, if the owner of that house doesn't take the care or doesn't have the desire to put a protection on it then it is open for being demolished by the next owner.

Culp Yep.

Styron That's true. I believe in property rights. I really do. I think that that is a thing that if we put this action into place we are removing property rights from individuals who bought their house without this government regulation being placed upon them.

Culp So if you felt that way why didn't you stop your staff from helping for months and months and years?

Styron Because I – we are here to serve you all. This is an initiative that was important for you and, and each one of you if you come to something – come to us with something that's important to you even if I personally don't agree with you it's our responsibility to support your efforts and what we wanted to do through that process is to get as much information out so that you would get information – each of you from the rest of the community to tell you what they understand about what's being proposed. More clarity and more information about all the things that we're doing here I think only helps us in the long run.

Culp Okay.

Zionsville Town Council  
April 18, 2022

Melton I have a couple of questions – Mayor thank you very much for attending. Glad to move the meeting to 8:00 – we all have little kids at home that we’d like to maybe spend a little more time with so I appreciate that.

Styron Thanks so much.

Melton You mentioned, you mentioned the ARPA premium pay –

Styron Yes.

Melton In one of your presentations or one of your bullet points.

Styron Yes.

Melton Do you have a number of employees in, in your vision or in mind for that that we can kind of narrow down?

Styron We, we can get that information to you. I don’t have it in my brain but we definitely have a good spreadsheet and lots of information to share with you all.

Melton So, I’d really like to, you know, help with that.

Styron Thank you so much Councilor Melton.

Melton In any way we can – if we can kind of narrow that down so we – I know we have a few dollars left in this first round so I’d really like to kind of move that –

Styron Thank you.

Melton Move that pendulum. With regards to, yes, I appreciate you bringing up property rights and the agenda that’s kind of being pushed at the, at this time and you know, my concern is really homeowners that may not be able to afford or move in the direction of preservation of their homes and safety concerns when it comes to wiring in these hundred year old homes, the fire and smoke detection, you know, lead pipes and maybe foundational issues – so, that’s were the construction side of me comes from and as I walk through this with the Town and Joe and everybody that’s pushing this – I think it’s interesting that one of the comments that was made to us – I’m sorry, this is a sidenote but – was the naysayers don’t want change and they’re not, they’re not – that was a comment. And it’s like, to me in my mind it’s – the naysayers are actually okay with the change and I think that’s just an interesting perspective. It’s almost like the people pushing this don’t want the change, don’t want the change of the buildings and, and the way the Town might look in 10 more years which is our new history that we’re creating. So that’s just my sidenote – you’ve already seen my vote and how I voted and I think I haven’t had any new information come through that’s going to change anything on that. But, I just wanted to say thank you for bringing that to the surface of your opinion because you are influential you obviously got elected by the people and I think that’s something that says a lot. So, that being said let’s get this financial stuff taken care of with the Town I look forward to the executive session and, and moving forward with that and kind of honing that in so we can make better decisions. If that decision is a five-

year plan that happens every five years for history, you know, that's, it's in the, in the past history – I think it should be in the budget on that fifth year so that concerns me. I think it's concerned the rest of these Councilmen in this case as well. So, those are my little side, side bits but I appreciate you showing up and I'm happy –

Styron Thank you Councilor.

Melton Happily move this to 8:00 with you guys and gals.

Garrett Can you talk about the form-based code – what it's hoping to achieve and the timing?

Styron No. Not in a really good way. I think that I'd love for someone who can explain that better than I can in terms of what form, form-based code means. My understanding is it – is that the development needs to look and feel what the development around it looks like. That is a very elementary explanation.

Garrett Isn't that – if, if that's the explanation isn't that then taking away property rights?

Styron Wayne could probably come up and explain form-based code to you. I'm sorry.

DeLong Good morning. Zoning is a creature of the State of Indiana. You do not have zoning without an adoption of a comprehensive plan. How this community manages its zoning is its own unique choice so certainly as we move through the form-based code, certainly how you moved through the 2000 adoption of your current zoning ordinance, your 2010 adoption of the more recent edits to that is all a community conversation. Zoning is a police power by the, but it's a creature of its creation, how it's managed by the community is that delicate touch that you need to follow. It does compete with property rights that's certainly not an inaccurate statement. How we manage the form-based code is all related to that.

Garrett So when the Mayor mentioned form-based code as a fix for what Councilor Culp's been driving at, what does that mean?

DeLong The form-based code is in its name exactly what it does. It will manage the form such as if a street has a – the ordinance can be written as such. If the street has X height on it as achievement for each dwelling that is the managed height for that particular block. And the form-based code – no zoning ordinance manages demolition. That is the linchpin here that I would assume is the problem. There – the demolition would be managed by some sort of other effort; in this particular case the Town is striving for a Historic Preservation Commission to have that one tool in the toolbox that isn't a part of zoning. However, you could just adopt a standalone ordinance that's a stay on demolitions, requires a delay on demolitions, requires a review of demolitions – that's another way to manage this conversation. You could adopt a historic preservation ordinance, as the Mayor indicated, through a Historic Preservation Commission. Again, staff has been working with you to facilitate that. But there are other, there are other tools in the toolbox as discussed in previous phone calls and meetings and videos but, yes, that's, that seems to be the one piece of the puzzle that does not fit into zoning is how to stay demolitions.

Garrett            That makes sense. I guess what I am trying to drive at is Mayor you said you were for property rights which I am for property rights as well – we are on the same page – I think what I want to be careful at is that I don't want it framed up personally as if you are for this commission you are somehow against property rights or if you are against this commission you are somehow for property rights. It's not that binary because if you are against this commission and, therefore, for property rights and then put any form-based code that effectively solves the exact same thing, does that now mean you're against property rights? I doubt it – you're just trying to put in the right – I mean every municipality needs zoning except maybe Houston and that's a bit of a mess but, I mean, you, you see when you don't have zoning what can happen. So I am for property rights but I am also for an appreciation of the past and once that's gone that's gone and so trying to find a balance to create a commission that allows for those neighborhoods to determine what it is they do or do not want to honor within their past – that's what I'm trying to achieve. I think this starts getting confusing in the public's eye and rightly so because they're not involved in all of this in a sense that the creation of the commission is really just the creation of a vehicle to allow people to determine if they want to go through that. Mayor it's for you to assign people to determine how they want to allow them to do that and it's this Council's determination to do if they're allowed to do that and then it's Wayne's department to enforce that if any of all of that happens. So I have communicated with individuals and I will continue to that the creation of the commission is in my mind benign because it is not actually doing anything. Your property rights the day after this commission is created is the same as the day before this commission is created, if it is created – it is the subsequent actions of those neighborhoods in the commission that can be impacting and if people are against that should remonstrate against that and as a Council I would be very concerned if what came through from that commission was overly egregious towards property rights. You know, things like paint color and landscaping and internal renovations and things like that. So that's just a – I just want to make sure that we aren't framing up an argument as so binary black and white.

Styron            I think, again, I just want to reiterate – it is a whole new process – you're absolutely right. It's not this, it's not the Planning Commission but it will take form in terms of another body that serves a lot of the same role that the Planning Commission does and that that is the government component that this will add and the cost that it will add. I agree with you – if you all put this forward we will manage it well and we will look at this as another obligation and responsibility we have to carry forward. When I speak just as a person and not as the Mayor in terms of, you know, I don't want someone to be the boss of my, you know, my house choices and whether I take my porch off and do something different to it. That's the reason I moved to the Village when I did. Now I live in a subdivision and they wish that I would paint my house I think but anyway I whatever you all decide we'll, we will administer. I hope that you have – I'm glad that you're asking questions and we're happy to provide you with any other information that will help support your decision.

Garrett            So if your answer was as the individual, Emily Styron, I guess my question was more for Mayor Styron – do you think the creation of the commission and the

potential that commission may implement some component of historic elements within the Town is good for Zionsville or not?

Styron I don't think it's good for Zionsville. I think that Zionsville is fantastic today. Everyone understands our sense of place. Folks talk about Zionsville with a wistful sound in their voice. They love this community and we should cherish the, all the different elements that make it unique – horse country, the downtown Village business district I don't see that this particular process is going to in the long run have a net positive impact on the Village.

Garrett So in that case if horse country then turned into all rows of houses you'd be okay with that?

Styron No.

Garrett But you just said property rights are important and what if those horse country people want to turn their homes into or their estates into subdivisions? Why can't they do that?

Styron I would look to Councilor Traylor to help take care of that.

Garrett Well I don't – but that's not really the right answer. I mean, you just told me that property rights are important and –

Styron I'll administer whatever this, this body brings to me to administer. If I were a Councilor I would vote against this. I think Joe Culp is, is the best man among you. I think he's fantastic and he has done an amazing job working with constituents to push this forward. I would not – if anyone of you worked as hard as he did to bring something forward with this unless it was committing, you know, actually against the law, I would not actively derail it. This is what a Councilor look – I mean, that – he's doing exactly what he ran to do – represent his constituents. For me, I wouldn't want that to be put upon me but I would – but he is representing a body of folks who have come to him with a concern and he's brought solution forward in it for you all to decide if that solution fits for this community and I will administer it if you do.

Garrett I know that you will and I don't doubt that but I think, you know, state statute gives you all the appointments which we certainly can approve and I have no doubt you'll find qualified people to do that –

Styron Yes.

Garrett But I'm just trying to get a sense of, of where you stand and your statements to me are contradicting themselves and I'm trying to just see –

Styron They are contradicting. I wouldn't want this for me if I were a homeowner. As a homeowner, if I lived in the Village, my vote when, when Councilor Culp asked would be no. I am acting in terms of the Mayor. And if you all vote to enact this ordinance, I will absolutely as I have sworn to do uphold that law and administer it fairly and consistently.

Zionsville Town Council  
April 18, 2022

Garret Okay. Thanks Mayor.

Styron You bet.

Culp Since we're on that subject, I do want to thank the Masoncups for having me at their house last week. I was there for about two hours – listened to the opposition – great points and I just want to make sure that that group knows that I took it very seriously and Heather and I've already started talking about what we can do to, to come up with some compromises on one of the concerns from the opposition that still gets what the original group wanted to get done as well. So I do want to tell you that we're working on the ordinance to fulfill --

Styron Thank you so much Councilor Culp.

Culp To fulfill some of the requests from the group and their concerns. Definitely the sunset rule that, that is a big one for me that I, that has been asked by a number of people in here and that's – Heather and I are going to be working on that before the next meeting. So, there's others as well that request but I can't guarantee – we still have to look into the state statute and how that works but I wanted to let you know that we are going to add things that were requested from the opposition last Wednesday, so –

Styron Thank you.

Plunkett Anything else?

Melton What is – what was that regarding? You said the sunset issue. Is that regarding from a – after, after the sun sets it turns into a historic preservation? What, what am I –

Culp So, yes – great, great question. So right now the way the state statute works is after three years there has to be – I don't know the exact wording, I don't have it right in front of me – but basically if nobody does anything with it, it would automatically turn into a historical district. If we put a sunset rule that will not happen. They, it cannot – it will not be able to automatically move into a historical district which is – none of us want. Nobody – the opposition, the for people –

Melton My, my question again then would be if this is the state statute that we're approving so a commission can be created, I've been told that we can't change the state statute. How can we change the state statute?

Plunkett Can we hold on a second?

Melton Yes.

Plunkett I feel like, I feel like we're deviating from, from the agenda significantly.

Melton Gotcha.

Zionsville Town Council  
April 18, 2022

Plunkett We can either pick this up maybe in Other Items at the end or maybe – I think we're still in the administration check in here.

Culp Can I just answer that question he asked? It won't take long.

Plunkett Sure.

Culp Thank you. Thank you Mr. President.

Plunkett It's important – I get it, yes.

Culp Yes. So again, as we've said in all these meetings. You have to have a state statute for a model for the folks who want to propose a potential ordinance someday. So it's kind of like you have to have everything on there but your sunset rule, which you're asking is a very good question.

Melton Would be in the next reading, right? The actual ordinance that's created.

Culp Yes.

Melton Thank you.

Culp Okay.

Plunkett Perfect. Anything else for the Mayor?

Garrett Thanks Mayor.

Plunkett Mayor, I want to tell you I appreciate you coming and engaging in this dialogue. This is incredibly helpful.

Styron Thank you so much Councilor.

Culp Yes, thank you.

Plunkett Thank you.

Choi We all appreciate it. Thank you.

**OLD BUSINESS**

**A. Consideration of an Additional Appropriation Resolution (Parks Master Plan) (continued from April 11, 2022 meeting) Resolution 2022-04**

Plunkett All right. Up next on the agenda is Old Business. This is a Consideration of an Additional Appropriation Resolution for the Parks Master Plan. This is continued from the April 11, 2022 meeting. This is Resolution 2022-04. Jarod is here to present.

Logsdon Good morning Council. Thank you. As discussed in last meeting, this is the five-year update to a new Master Plan for the park system. This will take a comprehensive look at not only our physical amenities but also plan for the future and implement strategies that will far exceed that five-year timeframe. So in addition to planning out parks and a robust community engagement process, we will also conduct a land acquisition plan. So as the community continues to grow, we will always have green infrastructure to equitably offer parks throughout our Town. We'll also have a capital replacement plan so rather than guessing when critical infrastructure is nearing its end of life, we will have a comprehensive plan and not only list that but also list a cost associated so we can also budget for that. There will also be staffing recommendations so as we add parkland and new features in our park system, we will properly be able to manage those. We will also have a pedestrian and cycling scorecard so we can work with the Department of Public Works to identify trails within our park system and also pathways to better connect our Town through non-vehicular methods. And finally, there will be an ADA audit and recommendations to not only take an analysis of our park system but also identify barriers that are keeping some of our residents from participating in programs. So the additional appropriation request was for \$115,000 to successfully bundle all of these plans into one master document that we can provide to the community. So happy to answer any questions.

Traylor I have one question – so I know it's \$115,000 but I'm curious what the range was on the on the bids.

Logsdon Yes. So we did go through a, a master – or a RFP process and had four firms respond. Of that we had two finalists that conducted interviews with a review commission and upon that we made a recommendation to the Park Board. So of those final two, this was actually the cheaper option. The other option was approximately \$149,000.

Traylor Okay.

Logsdon So there is a range. One of our firms that did not make it into the final was around \$78,000.

Traylor Okay.

Logsdon All right.

Plunkett And Jarod we spoke at the last check-in call. This is the same group that did the last one, correct?

Logsdon Absolutely.

Plunkett So they're familiar with our process, familiar with the parks and, and also can you share what we paid for that process last time?

Logsdon Yes. So back in July 2018 we spent \$31,800. So there were some metrics that we were able to look at. So, for instance, the community engagement process which is multiple meetings, both online and in person, that was \$7,000 back in July of 2018 that is now around \$12,500 – so just showing the cost of inflation in operations of business over the past five years. But, again, this is apples to oranges because back in 2018 that was one view of our physical assets and community engagement planning out our parks whereas we are taking a more holistic view in trying to plan for the future as Zionsville continues to grow. So a little bit different. Those costs will be higher within this plan but there is also four other plans that we are getting cost savings by doing these altogether.

Plunkett Thank you.

Garrett I think this is more of a comment than a question for you, Jarod, but I think it's a comment to the, all the department heads, Mayor and this Council – I think it builds a little on what Councilor Choi was talking about is that we, we did ask for a balanced budget and, and that was what was passed. And we did say we'll review capital one-time expenses as they came up to determine if we were in a position to do that. What's unique about this is this seems like you have to do it – it's not an optional thing only in the sense that when you talked about the last meeting not having one of these can really impact our ability to go out and do matching grants and, and things like that – so, it is, it is timebound. We can't look at this and say let's wait a year. So, I guess the ask is and, obviously, this is only for five years but other things that may come up throughout the Town is that if there are things like this that, that we, whether in the parks case, the Parks Board believes is a must have, whether the Mayor, or the department head believes is a must have – if there is a time component to it I would expect that to be in the past budget so it's of no concern that, that we may or may not pass it and other things then that you could potentially wait a year – you know, if it was a trailhead extension or something like that and you could say all right well maybe we're going to wait a year and by waiting a year yes you, you lose a year in the use of it but you aren't losing something that you maybe needed for other components of it. So I am – I'm supportive of doing it – I'd be supportive of doing it anyways but I'm supportive of doing it but I also sort of feel backed into a corner a little bit which I don't like because I feel we almost have to do it or we're missing out on more than the \$115,000 we'd be spending.

Choi Yes, and to that point and I'm supportive as well but I feel like you do that kind of backed into a corner on this. I think, you know, my concerns raised about a balanced budget and having expenditures that are appropriated later on that should've been part of the budget, I think there's a – this is a result of a difference in philosophy of what actually goes into a budget and how we truly

balance a budget. There's – and, and I've run you know, a \$60 million corporation for the past 12 years so, I've been through multiple budgets where there are a lot of intricacies around it. So, Tim, I think one of the things that we might want to consider and, Tim – and our new CFO, Kellie, that we consider is to create, I forget the term for it but it's kind of a secondary budget where our capital expenditures are allocated and we know what we've saved for and what we're taking out of reserves and that's not an operational budget so much as we have an understanding of this is what our budget looks like now, five years into the future, 10 years into the future, this is where we're going to take our capital reserves and allocate it towards this. So, and, and that makes – I forget what the term for that is, Tim. But you understand what I'm getting at – and Kellie.

I think that'll help us give us a better understanding when these kind of things come up because I – it's a difference in philosophy of whether something like this should've been included in the budget at the outset or should be allocated towards the reserves and, therefore, not included in the budget and, and that was the Mayor's explanation of she understood one thing to happen with the budget, I understood a different thing to happen with the budget which is why I'm upset about it but I can see why the administration last time in providing a balanced budget would've extricated this out. So, this, I think, we need to come to a consensus on what a budget look – this is more than the parks conversation, obviously, but come, come to an understanding of what truly we want out of a balanced budget, what that actually means and, I think it'll give us – because these, these kind of expenditures will come up with fire trucks and buildings and things of other things. This is a little more timely in that we cannot push this off and I understand that. Not like we can push off buying a fire truck for a year or something like that. But, I, but going forward with our budget we need to have a better understanding and agreement of what exactly the budget looks like, how we'll – how we'll allocate reserves and those kind of informations. So I appreciate it I appreciate the conversation from the Mayor on her understanding. I think that's where we have a difference on what the budget meant but I can understand where that confusion came in for the two of us.

Plunkett           Very good. Anything else for Jarod?

Melton            Yes, just, just a quick question – can you elaborate on the pedestrian cycling scorecard real quick that you mentioned?

Logsdon           Yep. So each of our parks will receive a score, you know, based on a metric that will be developed within the Master Plan. So, we'll understand which of our parks have the best accessibility from a pedestrian or cycling standpoint and then also which parks we need to take another look at. So as we plan out our next year's pathways or our next trail corridor, we can ensure that we're connecting to those parks with lower scores. So, truly connectivity is the, is the veins that support a park system.

Melton            Also in the – thank you. In this Master Plan is – there, there, there is all the equipment of the parks going to be put on a reserve study or where it'll be assessed for, I guess, safety concerns and then a timeline for how long that equipment will last?

Logsdon Absolutely. So a component of that capital replacement plan is to understand this playground was installed in 1992 and has a 35-year, you know, life cycle. So within the next three years we should look at while we do, you know, conduct monthly safety audits of our equipment, is this going to last another year or do we need to prioritize this in 2023, 2024 or so on. So rather than being blindsided as systems are preparing to fail, you know, looking under a bridge and noticing timbers that are rot or playgrounds where equipment is beginning to fall off, we're taking a proactive look so it's not reactory but proactive.

Melton Great. Thank you.

Plunkett Any other questions for Jarod? Otherwise, I would entertain a motion.

Garrett I'll make a motion to approve Resolution 2022-004.

Culp Second.

Plunkett First by Councilor Garrett. Second by Councilor Culp. All those in favor signify by saying aye.

All Aye.

Plunkett All those opposed same sign.  
[No response]

Motion passes 6 in favor, 0 opposed.

Logsdon Thank you all.

Plunkett Thanks Jarod.

### **NEW BUSINESS**

Plunkett Up next is New Business. We have no New Business items.

### **OTHER MATTERS**

Plunkett Up next on the agenda would be Other Items and I just want to read something real quick. It's been this Council's goal to provide public transparency about Town initiatives and potential projects as well as fiscal transparency to ensure that our friends and neighbors can weigh in and participate in important conversations. With that in mind, I just wanted to give an update to a proposal that we've received from Graham-Rahal Performance LLC. I had the opportunity to meet with Mr. Rahal and some other Councilor members have as well to discuss his interest in acquiring real estate for a development project to expand his organization's presence in our community. Mr. Rahal came to the Town Council for assistance, guidance and to share his vision for the new development I encourage – I would like to encourage the RDC to allow Mr. Rahal to purchase the land he is seeking to acquire for his expansion and proposed development.

I'm personally anxious for this to move over to our Plan Commission for consideration of rezoning and receive the Plan Commission's recommendation of Council. I appreciate the input from, from Wayne, his involvement, advice and encouragement as well as the administration. I look forward to this project coming to fruition. So, I know, some Councilors who had an opportunity to meet with him and others haven't and he certainly would open that door if, if that's something you guys would like. So –

Garrett It's very cool. I would love to have him here. I mean it really would. It would be a great economic feather in the cap for our community and for Creekside which I know we're all trying to fill up. So –

Plunkett Yes. Sure. Any other matters from Councilors?

Harris President Plunkett, I just wanted to make a clarification to something that was said earlier about amending the meeting time for our second regular meeting. We, we could back and just draft, you know, a new ordinance or revised ordinance but you can also accomplish that if you wanted to do it today simply by asking for a motion to amend the time from 7:30 to 8:30. Amy and I can do the backend to memorialize that in the actual ordinance itself. If you want to do that today you're welcome to do that without delaying it.

Plunkett I mean, I'm happy to do that to 8:00. I don't know about 8:30 – 8:30 kind of pushes some other meetings back behind us as well. Is 8:00?

Styron Yes.

Plunkett Yes, I mean, if, if you guys are okay with it I'll make a motion to amend, to amend the meeting schedule to our third Monday morning meetings from 7:30 to 8:00.

Traylor Second.

Plunkett Second by Councilor Traylor. All those in favor signify by saying aye.

All Aye.

Plunkett All those opposed same sign.  
[No response]

Perfect. Motion passes 6 in favor, 0 opposed. And you guys will handle that on –

Harris We will and then we'll I'll work with Amy and we'll revise the meeting schedule so that it gets posted properly for the public and then revise the meeting notice for all of you so it's on your calendar correctly.

Plunkett Perfect. Thank you.

Traylor And in other matters – just a reminder for the Councilors that immediately following this meeting the administration has put together some refreshments for us and to meet the new CFO, Kellie Adams.

Plunkett Perfect. All right. Anything else?

**CLAIMS**

Plunkett Up next is claims. Do any Councilors have questions on claims?

Traylor I do.

Poore Okay.

Traylor So there's in the administration there is one for Cornerstone EHS workplace health safety gap analysis?

Plunkett Which, which month are you on Bryan?

Traylor Oh I'm sorry – I'm in yes right – April the April 11<sup>th</sup>. So there's – I think it's the fifth one down – Cornerstone EHS workplace health and safety gap analysis. Just curious what that is. Or it looks like Deputy Mayor Cole may have some input on that.

Johns-Cole Good morning.

Plunkett Morning.

Johns-Cole Yes, so we included this in the budget last year. As we found when – after Emily came into office that we don't have a comprehensive Town-wide written occupational health and safety plan. This is very important. It's something that we should've had in place for, for decades but we don't. We've got some good practices but, again, not something that – not fully comprehensive like as I mentioned. So, it was in the budget for Cornerstone to come in and do a gap analysis. They're going to do a job hazard analysis which is their next step and then they're actually going to help us draft a plan for – that is specific to each department and each job classification that we do have. It ranges anywhere from fall protection, hearing conservation programs, proper respirator fit fit testing that we need to do for our staff. We have some comprehensive programs within police and fire because of the work they do but it doesn't apply to DPW and Parks which is really important. We do have hazardous jobs and hazardous tasks and it's our responsibility to maintain and support a safe program for our work – our employees. In addition to drafting the full comprehensive program and going through this analysis, we are drafting and creating a safety committee which Jo Kiel is going to help us manage and Cornerstone is going to serve as our expert consultant and join us for safety committee meetings every month. So, really excited about this effort. It's super important and it's our responsibility.

Traylor Thank you.

Johns-Cole You're welcome.

Traylor And then the next one was Dant Advocacy for \$3,500.

- Cole            Yep. We have a monthly retainer with Dant Advocacy to serve as our lobbyist advocates for us on behalf of the Town of Zions – the full Town of Zionsville – for any legislation that may impact us positively or negatively, has a presence at the State House during session and keeps us aware of anything that we might have a concern about in any of the departments if there’s any impact there.
- Traylor        All right. Thanks. I think this one will go to Wayne probably. So if you want to start walking up Wayne. The there’s two for Beam Longest that total about \$90,000 – are those, are those the typical passthroughs not something that we’re actually on the hook for but more or less –
- Traylor        Yes. Same one page 3 there’s one for \$44,500 and one for \$46,500.
- DeLong        Yes.
- Traylor        Perfect. Thank you. Just want to make sure that wasn’t something we were on the hook for – that it was just a passthrough. All right. Ready?
- Poore          Okay.
- Traylor        All right. Page 5, uh second to the last there’s an appraisal for \$5,000 and then on the second page there’s another appraisal for \$5,000. I’m just curious what property that’s on.
- Poore          Actually it’ll be Lance.
- Lantz          We are required by law to pay three appraisers for the same property when we have a project in condemnation. So there should be, actually, three claims. So it’ll be on the next one Cindy says.
- Traylor        Oh okay. And what property is that?
- Lantz          That is property at the next roundabout on County Road 800 East.
- Traylor        Okay. And, and while you’re here – is that the same for the there’s a land acquisition in public works for \$246,600 – is that the same property or –
- Lantz          We are satisfying judgment against the Town for that amount to pay those property owners. We are court ordered to pay that valuation to particular property owners –
- Traylor        Oh okay.
- Lantz          By the court.
- Traylor        All right. Gotcha. I’m following now. And is that the same property or is that, that’s a –
- Lantz          That is correct.

Traylor            Okay. Perfect. I think that's it. Just a little background why I'm asking – it, I know there's been some difference of opinion on what we're spending money on you know, some things that were – that I perceive or, or think are, were not budgeted and essentially what, what I was told was hey when you're passing the claims, you're essentially giving consent to all these expenses and I just want to make sure what I am consenting to is actually something I agree with. So that's it.

Plunkett           Fair enough. Any other questions for Cindy on claims? Heather, this may be just procedurally – do we have to do three separate motions for three separate claims?

Harris             I would recommend it.

Plunkett           Okay. If there are no other questions – do you have a question?

Garrett            No I was going to make a motion to pass the March 21, 2022 claims.

Plunkett           Second. So we've got a first by Councilor Garrett. Second by Plunkett. All those in favor signify by saying aye.

All                  Aye.

Plunkett           All those opposed same sign.  
[No response]

Motion passes 6 in favor, 0 opposed.

Garrett            I'll make a motion to pass the April 11, 2022 claims.

Plunkett           Second. First by Councilor Garrett. Second by Councilor Plunkett. All those in favor signify by saying aye.

All                  Aye.

Plunkett           All those opposed same sign.  
[No response]

6 in favor, 0 opposed.

Garrett            I'll make a motion to pass the April 18, 2022 claims.

Plunkett           Second. First by Councilor Garrett. Second by Councilor Plunkett. All those in favor signify by saying aye.

All                  Aye.

Plunkett           All those opposed same sign.  
[No response]

Motion passes 6 in favor, 0 opposed.

Zionsville Town Council  
April 18, 2022

**ADJOURN**

Garrett I'll make a motion to adjourn.

Plunkett Yes, second. All those in favor signify by saying aye.

All Aye.

Plunkett All those opposed same sign. The next regular Town Council meeting is scheduled for Monday, May 2, 2022 at 7 p.m. in the Zionsville Town Hall Council Chambers. Final notice will be posted in compliance with the Indiana Open Door Law. Thank you very much.

Respectfully Submitted,

Amelia Anne Lacy, Municipal Relations Coordinator  
Town of Zionsville